

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT ARMELL,

Defendant.

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8:07CR358

**REPORT AND RECOMMENDATION
AND
ORDER**

At the conclusion of the hearing on January 4, 2008, on the defendant's motion to suppress evidence, I stated my conclusions on the record and my decision to recommend that the motion to suppress be denied as to the statements of September 13, 2004, September 14, 2004, and October 4, 2007, and granted as to the statement of June 22, 1999. In accordance with that announcement,

IT IS RECOMMENDED to the Honorable Joseph F. Bataillon, Chief United States District Judge, that the motion to suppress, Filing No. 18, be denied except as to the statement of June 22, 1999.

FURTHER, IT IS ORDERED:

1. The clerk shall cause an expedited transcript of the hearing to be prepared and filed.

2. Pursuant to NECrimR 57.3 any objection to this Report and Recommendation shall be filed with the Clerk of the Court within ten (10) business days after the transcript is available to counsel for reading in the clerk's office. Failure to timely object may constitute a waiver of any such objection. The brief in support of any objection shall be filed at the time of filing such objection. Failure to file a brief in support of any objection may be deemed an abandonment of the objection.

Dated this 4th day of January, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge